

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	09 CR 10.08.7. WGY
)	
v.)	
)	
JOHN MICHAEL D'ADDIECO,)	CRIMINAL NO:
Defendant.)	Violations:
)	14 U.S.C. § 88(c) (False Distress Message)
)	18 U.S.C. § 1001 (False Statement)
)	
)	

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

1. At all times material to this Indictment, JOHN MICHAEL D'ADDIECO was a resident of Winthrop, Massachusetts.
2. At all times material to this Indictment, the United States Coast Guard was responsible for monitoring marine radio traffic for distress signals and for providing search and rescue assistance in the event of a marine emergency.
3. On or about September 14, 2007, while working on board a cruise ship traveling in Boston Harbor, D'ADDIECO called 911 from his cell phone and, claiming to be a person named Tim MacKee or Tim MacGee, reported that he was on a 27-foot boat called *Nothing But Trouble* out of Winthrop Harbor. He also reported that the boat was sinking near Boston Light with four passengers on board.

4. In fact, as D'ADDIECO well knew, he was not on board any boat called *Nothing But Trouble* and no such boat was sinking near Boston Light.

5. In response to D'ADDIECO's call, the Coast Guard deployed a Jayhawk helicopter and a 41-foot utility boat to search for the *Nothing But Trouble* and her crew.

6. The fruitless search and immediate follow up investigation lasted approximately four hours and cost the Coast Guard approximately \$56,000 in man hours and assets used.

7. On or about September 20, 2007, the Coast Guard interviewed D'ADDIECO in person in Boston, Massachusetts, regarding the false distress call on September 14, 2007. In response to questions, D'ADDIECO falsely stated that on the night of September 14, 2007, a passenger of the cruise ship on which D'ADDIECO was working asked to borrow his cell phone, and that the passenger returned the phone to him twelve to thirteen minutes later with the battery dead. When asked if he made the false distress call, D'ADDIECO falsely stated that he would never do something like that.

COUNT ONE
(False Distress Message – 14 U.S.C. § 88(c))

The Grand Jury further charges that:

8. Paragraphs 1-7 are hereby realleged and incorporated by reference as though fully set forth herein.

9. On or about September 14, 2007, in the District of Massachusetts and elsewhere, the defendant,

JOHN MICHAEL D'ADDIECO,

did knowingly and willfully communicate a false distress message to the United States Coast Guard and cause the United States Coast Guard to attempt to save lives and property when no help was needed.

All in violation of Title 14, United States Code, Section 88(c), and Title 18, United States Code, Section 2.

COUNT TWO
(False Statements – 18 U.S.C. § 1001)

The Grand Jury further charges that:

10. Paragraphs 1-7 are hereby realleged and incorporated by reference as though fully set forth herein.

11. On or about September 14, 2007, in the District of Massachusetts and elsewhere, the defendant,

JOHN MICHAEL D'ADDIECO,

in a matter within the jurisdiction of the United States Coast Guard, did knowingly and willfully make a materially false statement; to wit, he told the United States Coast Guard that his name was Tim, that he was aboard a boat called the *Nothing But Trouble*, and that said vessel was sinking.

All in violation of Title 18, United States Code, Sections 1001 and 2.

COUNT THREE
(False Statements – 18 U.S.C. § 1001)

The Grand Jury further charges that:

12. Paragraphs 1-7 are hereby realleged and incorporated by reference as though fully set forth herein.

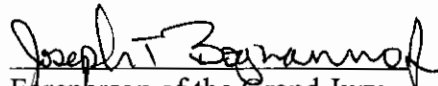
13. On or about September 20, 2007, in the District of Massachusetts and elsewhere, the defendant,


JOHN MICHAEL D'ADDIECO,

in a matter within the jurisdiction of the United States Coast Guard, did knowingly and willfully make a materially false statement; to wit, he told officials of the United States Coast Guard that a passenger of a harbor cruise ship asked to borrow his cell phone on the evening of September 14, 2007; that when the passenger returned the phone to him, the battery was dead; and that he would never do something like make a false distress call.

All in violation of Title 18, United States Code, Sections 1001 and 2.

A TRUE BILL

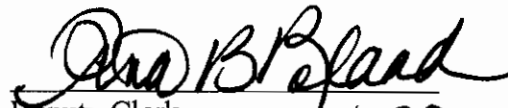

Foreperson of the Grand Jury


RYAN M. DISANTIS
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

March 26, 2009

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk 1:30 p.